

BILL NO. 2006-31

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY'S REGULATIONS CONCERNING THE COLLECTIONS, TRANSPORTATION, DEPOSIT AND DISPOSAL OF SOLID WASTE AND RECYCLABLES, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Mark R. Vincent, Director
Department of Finance and Business Services

Summary: Amends solid waste and recycling regulations by updating service rates, adding rates for overflow collections, eliminating fees for discontinuing service, deregulating rates for competitive-service areas, increasing frequency-of-service options, authorizing pilot programs for recycling, adding customer service standards, revising late-payment penalties, adding minimum container requirements, and facilitating recycling by materials recovery facilities.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Title 9, Chapter 8, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.08.020: In the construction of this Chapter, the following definitions shall apply, unless the context clearly requires otherwise:

“Cash receipts” means all receipts derived from the collection of solid waste and curbside recyclables collection services and includes, by way of illustration and not limitation, all cash, credits, property or other consideration of any kind derived directly or indirectly by a franchisee (or any of its authorized agents or affiliates) for the collection, transportation and disposal of solid waste, including all revenue received from residential service (including any charges attributable to curbside recyclables collection services), commercial and industrial service, medical-waste service, sewage-waste service, container rentals, packaging, shipping and late fees, but excluding the following revenues from:

- (A) The sale of recyclables.
- (B) Any taxes on services furnished by a franchisee that are imposed by other governmental entities, that are passed through to and collected from the franchisee's customers, and that are separately itemized on customers' bills.

“Commercial recycler” means any licensed entity, including a licensed franchisee, that is in

1 the business of purchasing, accepting donations of, collecting, storing, transporting or processing
2 source-separated recyclables.

3 “Commingled recyclables” means recyclables that have been abandoned or discarded and that
4 are mixed with solid waste other than residual solid waste.

5 “Compacted solid waste” means solid waste reduced by mechanical equipment, in volume[,]
6 but not weight, by [two-thirds or more by mechanical equipment.] a minimum ratio of three to one.

7 “Construction or demolition waste” means solid waste resulting from the construction or
8 demolition of buildings and other structures, including but not limited to wood, plaster, metals,
9 asphaltic substances, bricks, block and concrete, and landscaping, native vegetation, excavation dirt,
10 rock, stone and gravel. The term “construction or demolition waste” does not include uncontaminated
11 soil, rock, stone, gravel, unused brick and block and concrete if they are separated from other
12 construction or demolition waste and are to be used as clean fill.

13 “CPI-U” means the Consumer Price Index, All Urban Consumers for All Items, U.S. City
14 Average (1982-84=100), as published by the Bureau of Labor Statistics, U.S. Department of Labor.

15 “Curbside recyclables collection” means a collection program operated by a solid waste
16 franchisee in which source-separated recyclables are collected from residential customers on a
17 regularly scheduled basis as a part of the franchisee’s solid waste business.

18 “Dead animals” means all dead animals or parts thereof (including condemned meats) that are
19 not intended to be used as food for man or animal.

20 “Dirt” means loose earth, ashes and manure, but exclusive of sand and gravel that is to be used
21 in construction work.

22 “Drop-off center” means a collection site where source-separated recyclables may be taken by
23 persons and deposited into designated containers.

24 “Duplex” means any premises on which there are two separate residential dwelling units.

25 “Franchise agreement” means an agreement between the City and a third party by which such
26 third party is authorized to collect, transport and dispose of solid waste and perform curbside
27 recyclables collection services in the City.

28 “Franchise fee” means the fee required by a franchise agreement based upon a percentage of

1 a franchisee's cash receipts derived from the collection, transportation and disposal of solid waste and
2 curbside recyclables collection services in the City.

3 "Franchisee" means any person who has contracted with the City for collection, transportation
4 and disposal of solid waste and the performance of curbside recyclables collection.

5 "Garbage" means putrescible animal and vegetable wastes, other than source-separated
6 recyclables, that result from the handling, storage, sale, preparation, cooking and serving of food, and
7 that have been discarded or abandoned.

8 "Hazardous waste" means any waste or combination of wastes, including solids, semisolids,
9 liquids or contained gases which:

10 (A) Because of its quantity or concentration or its physical, chemical or infectious
11 characteristics may:

12 (1) Cause or significantly contribute to an increase in mortality or serious
13 irreversible or incapacitating illness; or

14 (2) Pose a substantial hazard or potential hazard to human health, public
15 safety or the environment when it is given improper treatment, storage, transportation, disposal or
16 other management;

17 (B) Is identified as hazardous waste by the Nevada Department of Conservation and
18 Natural Resources as a result of studies undertaken for the purpose of identifying hazardous wastes;
19 and

20 (C) Includes, among other wastes, toxins, corrosives, flammable materials, irritants,
21 strong sensitizers and materials which generate pressure by decomposition, heat or otherwise.

22 "Materials recovery facility" means a facility that provides for the extraction from construction
23 or demolition waste of those recyclable materials that may be found in construction or demolition
24 waste. The term does not include:

25 (A) A facility that receives only source-separated recyclables;

26 (B) A facility for the recovery of used motor vehicle parts;

27 (C) A facility that receives, processes or stores only concrete, masonry waste,
28 asphalt pavement, brick, uncontaminated soil, or stone for the recovery of recyclables; and

1 (D) A facility that recovers less than twenty-five percent by weight of recyclables
2 from the solid waste received.

3 “Medical waste” means items, other than a culture or stock of an infectious substance, that
4 contain an infectious substance and are generated in:

5 (A) The diagnosis, treatment or immunization of human beings or animals;

6 (B) Research pertaining to the diagnosis, treatment or immunization of human
7 beings or animals; or

8 (C) The production or testing of biological products.

9 The term “medical waste” does not include the following if the items as packaged do not contain any
10 material otherwise subject to the requirements of 49 CFR Part 173, App. G, as amended:

11 (1) Biological products;

12 (2) Diagnostic specimens;

13 (3) Laundry or medical equipment that conforms to 29 CFR 1910.1030 of
14 the regulations of the Occupational Safety and Health Administration of the United States Department
15 of Labor;

16 (4) A material, including waste, that previously contained an infectious
17 substance and has been treated by steam sterilization, chemical disinfection or other appropriate
18 method, so that it no longer poses the hazard of an infectious substance;

19 (5) Any waste material, including garbage, trash and sanitary waste in septic
20 tanks, derived from households, including but not limited to single and multiple residences, hotels and
21 motels;

22 (6) Corpses, remains and anatomical parts that are intended for ceremonial
23 interment or cremations; or

24 (7) Animal waste generated in animal husbandry or food production.

25 “Motel” means a building or group of buildings whose main function is to provide temporary
26 lodging and which does not offer conference rooms, restaurants or similar amenities to its customers
27 in addition to sleeping quarters.

28 “Multiple dwellings” means [apartments and any other collection of two or more residences]

1 any premises on which there are three or more separate residential dwelling units which are grouped
2 together under the management of one person and which do not require separate individual collection
3 of solid waste.

4 “Overflow” or “overflowing solid waste” means solid waste that is not contained within a solid
5 waste container with a tight-fitting cover, when such cover is closed, except for heavy and bulky items
6 collected as a part of residential solid-waste collection and any items bundled in accordance with
7 Section 9.08.100(E).

8 “Place of business” means any place of business in the City, other than multiple dwellings, to
9 conduct or carry on principally or exclusively any pursuit or occupation for the purpose of gaining a
10 livelihood.

11 “Premises” means land together with all buildings, improvements, and personal property
12 located thereon.

13 “Public building” means office buildings, clubs, churches, schools, hospitals or other places
14 of similar character.

15 “Putrescible” means capable of being decomposed by microorganisms with sufficient rapidity
16 as to cause nuisances from odors or gases.

17 “Recyclables” or “recyclable materials” has the same meaning as “recyclable material,” as that
18 term is defined in the Clark County Health District’s Regulations Governing Recycling Centers, as
19 amended.

20 “Recycling center” has the same meaning as “recycling center,” as that term is defined in the
21 Clark County Health District’s Regulations Governing Recycling Centers, as amended.

22 “Refuse” means those discarded materials that have no useful physical, chemical or biological
23 properties after serving their original purpose and that cannot be reused or recycled for the same or
24 other purposes.

25 “Residual solid waste” has the same meaning as “residual solid waste,” as that term is defined
26 in the Clark County Health District’s Regulations Governing Recycling Centers, as amended.

27 “Rubbish” means nonputrescible wastes, other than source-separated recyclables, that have
28 been discarded or abandoned such as paper, cardboard, automobiles, cans, wood, glass, bedding,

1 crockery and similar materials.

2 “Sewage waste” means any solid or semi-solid waste, including biosolids, sludge, screenings
3 and grit, generated from the operation of the City's water pollution control facility.

4 “Single-family residence” means a building or dwelling wherein not more than one family
5 resides or dwells, and where no business of any kind is conducted, and includes a mobile home,
6 apartment and other unit in a multiple dwelling which receives individual and heavy and bulky item
7 collection.

8 “Solid waste” means all putrescible and nonputrescible materials in solid or semisolid form
9 that have been discarded or abandoned by their owner, including garbage, rubbish, junk vehicles and
10 parts, ashes or incinerator residue, street refuse, dead animals, construction or demolition waste,
11 commercial or industrial waste, medical waste, sewage waste, commingled recyclables and other
12 refuse. The term “solid waste” does not include any of the following:

13 (A) Hazardous waste managed pursuant to NRS 459.400 through 459.600,
14 inclusive.

15 (B) Source-separated recyclables.

16 “Source-separated recyclables” means recyclables that have been separated from the solid
17 waste stream at the source for recycling purposes and that are not mixed with solid waste other than
18 residual solid waste.

19 “Unforeseen economic circumstance” means:

20 (A) A percentage change in the CPI-U for a given calendar year ending in December
21 that is greater than ten percent or below zero (a decrease);

22 (B) An occurrence beyond a franchisee’s reasonable control;

23 (C) An action by a governmental jurisdiction; or

24 (D) A finding by the City Council that there have been economic occurrences during
25 that period that have caused specific additional economic costs for a franchisee which are not reflected
26 in changes to the CPI-U during that same period.

27 SECTION 2: Title 9, Chapter 8, Section 40, of the Municipal Code of the City of Las
28 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **9.08.040:** (A) It is unlawful for any person to:

2 [(A)] (1) Throw or deposit, or cause to be thrown or deposited, in any street, alley,
3 gutter or highway within the City, any solid waste, hazardous waste or recyclables.

4 [(B)] (2) Throw or deposit, or cause to be thrown or deposited, any solid waste,
5 hazardous waste or recyclables upon the private or public property or premises or into the [receptacles]
6 container of another person within the City, except [for the depositing of source-separated recyclables
7 at drop-off centers.] as may be provided for in this Chapter.

8 [(C)] (3) Place, deposit or accumulate, or cause to be placed, deposited or
9 accumulated, any solid waste, hazardous waste or recyclables in such a manner, or permit the same
10 to remain on his or her premises in such condition so that the same may be blown or carried over to
11 public or other private property by any means whatsoever.

12 [(D)] (4) Throw or deposit or cause to be thrown or deposited any solid waste,
13 hazardous waste or recyclables in any areas of the City not designated, authorized or licensed by the
14 City for deposit of these materials.

15 (B) There is hereby created a rebuttable presumption that the disposal of solid
16 waste, hazardous waste or recyclables in violation of this Section was done by the owner of such
17 items.

18 SECTION 3: Title 9, Chapter 8, Section 50, of the Municipal Code of the City of Las
19 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **9.08.050:** It is unlawful for any person, for the purpose of disposal of solid waste, hazardous
21 waste or recyclables by burning, to kindle or maintain any bonfire, or knowingly to furnish the
22 materials for any such fire, or to authorize any such fire to be kindled or maintained in any solid waste,
23 hazardous waste or recyclables [receptacle,] container, or on any street, alley, road, land or other
24 public grounds or upon any private property, within the City, unless a written permit to do so shall first
25 have been secured from the Department of Fire and Rescue; provided, however, that solid waste and
26 infectious waste may be burned in an incinerator duly approved by the Department of Fire and Rescue
27 and the Department of Building and Safety.

28 SECTION 4: Title 9, Chapter 8, Section 60, of the Municipal Code of the City of Las

Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.08.060: Except in case of an emergency declared by the City Manager under Section 9.08.070, it is unlawful for any person, other than the City, a franchisee or their duly appointed agents to collect or transport any solid waste, or provide curbside recyclables collection service; provided, however, that:

(A) Construction or demolition waste may be removed by any duly licensed construction cleanup or demolition contractor and transported to a transfer station[or a], disposal site or materials recovery facility operated in accordance with all applicable laws, rules and regulations.

(B) A duly licensed construction cleanup or demolition contractor, or a duly licensed materials recovery facility may, after separating out recyclables, transport the solid waste residue from an authorized materials recovery facility to a transfer station or disposal site operated in accordance with all applicable laws, rules and regulations.

~~[(B)]~~ (C) Any duly licensed and permitted septic tank or grease trap pumpers, lawn maintenance services and tree trimmers may transport those materials accumulated in or generated by the performance of licensed services to a transfer station or a disposal site operated in accordance with all applicable laws, rules and regulations.

~~[(C)]~~ (D) Any person may transport his or her own solid waste to a transfer station or a disposal site operated in accordance with all applicable laws, rules and regulations.

~~[(D)]~~ (E) Any person may transport his or her own source-separated recyclables to recycling centers or drop-off centers.

~~[(E)]~~ (F) Any duly licensed commercial recycler may transport source-separated recyclables in the legitimate course of business.

~~[(F)]~~ (G) A charitable organization qualified as such under the Federal Internal Revenue Code may collect source-separated recyclables from [single-family residences, places of business, multiple dwellings and public buildings] any premises at the express request of the owner, tenant or occupant and may transport those recyclables to drop-off centers or recycling centers.

SECTION 5: Title 9, Chapter 8, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 **9.08.080:** (A) It is unlawful for any person other than the owner, the City or a franchisee, or
2 their duly appointed agents, to interfere in any manner with any [receptacles] container containing
3 solid waste or recyclables or to remove any such [receptacle] container from the location where placed
4 for [pickup] collection by the owner, the City or a franchisee.

5 (B) It is unlawful for any person, other than the operator of a drop-off center or his
6 or her duly appointed agent, to interfere with or remove any recyclables from a drop-off center.

7 SECTION 6: Title 9, Chapter 8, Section 90, of the Municipal Code of the City of Las
8 Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9 **9.08.090:** It is unlawful to use any cart or vehicle for the transportation or removal of solid waste
10 or recyclables unless such cart or vehicle is appropriately constructed and covered, within industry
11 standards and in accordance with NRS, Chapter 484, to prevent or minimize odors from or leakage,
12 sifting, spilling, drifting or blowing of such solid waste or recyclables in or upon the streets through
13 which such cart or vehicle may be driven.

14 SECTION 7: Title 9, Chapter 8, Section 100, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

16 **9.08.100:** (A) Every person owning or managing any [place of business, public building,
17 multiple dwelling or single-family residence,] premises, except as otherwise provided in Subsection
18 (E) of this Section, shall provide a [receptacle] container sufficient for the depositing of all solid waste
19 from the premises. A solid waste franchisee may rent solid waste [receptacles] containers to its
20 customers pursuant to the rates specified in this Chapter, but the responsibility for placement of such
21 rented [receptacles] containers remains with the person owning or managing the [place of business,
22 public building, multiple dwelling or single-family residence,] premises.

23 (B) A franchisee shall provide to its curbside recyclables collection customers, upon
24 request and at no additional cost to such customers, appropriate [receptacles] containers for the storage
25 and collection of recyclables.

26 (C) On any single-family or duplex residential [lot,] premises, it is unlawful to
27 place, keep, store or locate any solid waste or recyclables [receptacle] container within the
28 right-of-way of a street, sidewalk or alley, or within any front yard as defined in the zoning regulations

1 of the City; provided, however, that such [receptacles] containers may be placed within such area,
2 except for traffic lanes, for the purpose of the collection of solid waste and recyclables [from midnight
3 to midnight on the day designated for the pickup thereof and for a period not to exceed ten hours prior
4 to midnight of the day of pickup.] no earlier than six p.m. on the day prior to the designated collection
5 day, and that such containers must be removed from the right-of-way no later than midnight of the
6 collection day.

7 (D) On any multi-family, commercial or industrial [lot,] premises, it is unlawful to
8 place, keep, store or locate any [dumpster or other] solid waste or recyclables [receptacle] container
9 within the right-of-way of a street, sidewalk or alley. [Dumpsters] Containers shall be stored within
10 an enclosure if an enclosure was required in connection with development approval or is otherwise
11 provided on the [lot,] premises. The construction of [dumpster] container enclosures is encouraged,
12 if such construction was not required in accordance with a development approval. To the extent
13 reasonably possible, development plans and approvals concerning the construction of [dumpster]
14 container enclosures shall be coordinated with the solid waste franchisee.

15 (E) Places of business whose rubbish consists principally of boxes, cartons and
16 other items of such bulk that the placing of the same in a [receptacle] container would be
17 impracticable may provide for such [rubbish] solid waste to be piled on the premises of such place of
18 business adjacent to a street or alley, provided such boxes or cartons shall be flattened and tied in
19 bundles. The monthly rate to be charged such places of business for collecting, transporting and
20 disposing of such rubbish shall be computed in accordance with the rates set forth in Section 9.08.160
21 and based upon the bulk of such piles.

22 (F) A franchisee shall not be required to pick up solid waste or recyclables from
23 any location that the franchisee, subject to the City's approval, determines is not safe to access with
24 its disposal vehicles due to space limitations restricting vehicle access or maneuverability, including
25 maneuvers requiring the unsafe backing up of vehicles.

26 [(F)] (G) The provisions of this Section may be enforced by the City's Department of
27 Neighborhood Services, as well as the Las Vegas Metropolitan Police Department.

28 SECTION 8: Title 9, Chapter 8, Section 110, of the Municipal Code of the City of

Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.08.110: (A) [Each receptacle which is not] Each container at single-family and duplex residences which cannot be emptied by mechanical or hydraulic equipment shall have a capacity of not less than three nor more than thirty-three gallons and shall weigh no more than fifty pounds, including the contents thereof. [Multiple dwellings, places of business and public buildings] Single-family and duplex residences shall also be permitted to use the types and sizes of [receptacles] containers listed in Section 9.08.160, Table A. Solid waste [receptacles] containers shall be constructed watertight and shall be provided with handles and tight-fitting covers. Each such [receptacle] container and cover shall be made of a material approved for such use by the City. Covers shall not be removed except when necessary to place solid waste therein. Each [receptacle] container and its cover shall be kept clean from accumulating grease and decomposing material.

(B) It is unlawful for a non-residential customer to place out for collection a container which has overflowing solid waste.

(C) Any non-residential customer who places a container out for collection with solid waste overflowing from the container shall be subject to an overflow charge pursuant to Section 9.08.185.

SECTION 9: Title 9, Chapter 8, Section 120, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.08.120: (A) No person other than the owner, the City or a franchisee, or their agents may:

(1) Remove any solid waste or recyclables from the solid waste [receptacles] containers or recyclables [receptacles] containers that are intended for [pickup] collection by a franchisee as part of its solid waste collection and curbside recyclables collection programs;

(2) Remove recyclables that have been tied, boxed, bundled or otherwise collected and placed for [pickup] collection by a franchisee as part of its curbside recyclables collection program; or

(3) Tamper with, engage in, interfere with or participate in curbside recyclables collection.

(B) No person other than an owner or operator of a drop-off center, or their

1 authorized agents, may remove recyclables from the drop-off center or recyclables that have been
2 bundled, boxed, tied or otherwise collected and placed adjacent to the drop-off center.

3 SECTION 10: Title 9, Chapter 8, Section 130, of the Municipal Code of the City of
4 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

5 **9.08.130:** (A) All solid waste shall be placed in a [receptacle;] container; provided, however,
6 that:

7 (1) Places of business may place rubbish on their premises pursuant to
8 Section 9.08.100(E); and

9 (2) Tree trimmings, scrap lumber and other solid waste capable of being
10 bundled in accordance with Subsection (B) of this Section may be bundled if securely tied and placed
11 next to a [receptacle.] container.

12 (B) Items bundled pursuant to this Section shall not exceed six feet in length nor
13 weigh more than [seventy-five] fifty pounds.

14 [(C) Receptacles which are not emptied by mechanical or hydraulic equipment shall
15 not weigh more than seventy-five pounds, including their contents.]

16 SECTION 11: Title 9, Chapter 8, Section 140, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18 **9.08.140:** (A) [The] For single-family residences, the charge for collecting, transporting and
19 disposing of solid waste [from single-family residences] on a twice-a-week basis, and providing
20 curbside recyclables collection services on an every-other-week basis, shall be [thirty-three dollars and
21 thirty-eight cents per quarter.] eleven dollars and forty-three cents per month, subject to applicable
22 CPI-U adjustments made pursuant to this Chapter. All charges for single-family residences pursuant
23 to this Section shall be billed quarterly in advance.

24 (B) For duplexes, each dwelling unit shall be subject to the same charges as
25 specified in Subsection (A) of this Section for a single-family residence. The minimum container
26 requirements set forth in Subsection (D) of this Section shall not apply to duplexes.

27 [(B)] (C) [The] For multiple dwellings, the charge for collecting, transporting, and
28 disposing of solid waste [from multiple dwellings] on a twice-a-week basis shall be [twenty-four

dollars and eighty-seven cents per quarter] eight dollars and fifty-one cents per month for the first multiple dwelling unit on one stop and [seventeen dollars and forty-one cents per quarter] five dollars and ninety-five cents per month for each additional unit on one stop, subject to applicable CPI-U adjustments made pursuant to this Chapter, irrespective of occupancy or vacancy of any units. If requested by the owner of multiple dwellings, the charge for collecting, transporting and disposing of solid waste three times per week shall be one and one-half times the charge for service two times per week, and the charge for collecting, transporting and disposing of solid waste six times per week shall be two and one-half times the charge for service two times per week. All charges for multiple dwellings shall be billed quarterly in advance.

[(C) If requested by the owner of multiple dwellings, the charge for collecting, transporting and disposing of solid waste three times per week shall be one and one-half times the charge for service two times per week.

(D) If requested by the owner of multiple dwellings, the charge for collecting, transporting and disposing of solid waste six times per week shall be two and one-half times the charge for service two times per week.]

(D) All multiple dwellings shall provide cubic-yard containers, sufficient to provide the equivalent of three-fourths of one cubic-yard container space per dwelling unit for each of two collections per week, irrespective of occupancy or vacancy of any dwelling units.

SECTION 12: Title 9, Chapter 8, Section 150, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.08.150: (A) For mobile home parks that do not receive individual service at each mobile home and for motels, the charge for collecting, transporting and disposing of solid waste on a twice-a-week basis shall be [twenty-four dollars and eighty-seven cents per quarter] eight dollars and fifty-one cents per month for each office, plus [eleven dollars and ninety-seven cents per quarter] four dollars and ten cents per month for each mobile home and motel room without cooking facilities, or [fourteen dollars and ninety-four cents per quarter] five dollars and eleven cents per month for each mobile home and motel room with cooking facilities, subject to applicable CPI-U adjustments made pursuant to this Chapter, irrespective of occupancy or vacancy of any units. All charges for mobile

1 home parks and motels shall be billed quarterly in advance.

2 (B) If requested by the owner of a mobile home park [or motel that utilizes bin
3 service,] that does not receive individual service at each mobile home or by a motel, the charge for
4 collecting, transporting and disposing of solid waste three times per week shall be one and one-half
5 times the charge for service two times per week[.] , and

6 [(C) If requested by an owner of a mobile home park or motel that utilizes bin
7 service,] the charge for collecting, transporting and disposing of solid waste six times per week shall
8 be two and one-half times the charge for service two times per week.

9 [(D)] (C) For mobile home parks that receive individual service at each mobile home,
10 which shall include the same heavy and bulky item pickup as that provided to single-family
11 residences, the charges for collecting, transporting and disposing of solid waste and curbside
12 recyclables collection services shall be the same as for single-family residences as set forth in Section
13 9.08.140.

14 (D) Each mobile home park that does not receive individual service at each mobile
15 home shall provide cubic-yard containers, sufficient to provide the equivalent of three-fourths of one
16 cubic-yard container space per mobile home for each of two collections per week, irrespective of
17 occupancy or vacancy of any mobile homes or mobile home spaces.

18 (E) Each motel shall provide cubic-yard containers, sufficient to provide the
19 equivalent of three-fourths of one cubic-yard container space per motel room for each of two
20 collections per week, irrespective of occupancy or vacancy of any rooms.

21 SECTION 13: Title 9, Chapter 8, Section 160, of the Municipal Code of the City of
22 Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

23 SECTION 14: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,
24 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
25 9.08.160, reading as follows:

26 **9.08.160:** (A) For places of business and public buildings, the charge for collecting,
27 transporting and disposing of solid waste shall be determined by the number and type of containers
28 required by each such place of business or public building and by the number of collections from each

per week in accordance with Tables A, B and C that are included within this Section. The charge for collecting, transporting and disposing of compacted solid waste from containers other than compaction-type drop boxes shall be three times the otherwise applicable charge.

(B) All monthly charges set forth in Tables A, B and C that are included within this Section shall be billed as follows:

(1) Table A shall be billed quarterly in advance.

(2) Table B shall be billed monthly in advance.

(3) Table C shall be billed monthly in arrears.

(C) Each place of business or public building shall provide at least one but not more than two 96-gallon mobile containers; except that a place of business or public building that generates solid waste in excess of what can be contained in two 96-gallon mobile containers shall provide cubic-yard containers sufficient to contain the solid waste generated from the premises.

Section 9.08.160 Table (A)
Collection Charges (Monthly Rates)*
Places of Business and Public Buildings

| Number & Type of Containers | 1 Collection Per Week | 2 Collections Per Week | 3 Collections Per Week | 6 Collections Per Week | 7 Collections Per Week |
|-----------------------------------|-----------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| 96-Gallon Mobile Container | | | | | |
| Each container | \$7.66 | \$15.31 | \$22.97 | \$63.73 | \$76.42 |
| One Cubic-Yard Container | | | | | |
| Each container | \$38.21 | \$76.42 | \$114.63 | \$165.51 | \$198.87 |
| Two Cubic-Yard Container | | | | | |
| Each container | \$76.55 | \$153.09 | \$229.64 | \$292.77 | \$351.94 |
| Three Cubic-Yard Container | | | | | |
| Each container | \$114.82 | \$229.63 | \$344.45 | \$420.00 | \$505.05 |
| Four Cubic-Yard Container | | | | | |
| Each container | \$153.09 | \$306.17 | \$459.26 | \$547.25 | \$658.10 |
| Six Cubic-Yard Container | | | | | |
| Each container | \$229.63 | \$459.25 | \$688.88 | \$801.72 | \$964.29 |
| Eight Cubic-Yard Container | | | | | |
| Each container | \$306.17 | \$612.35 | \$918.51 | \$1,056.20 | \$1,270.45 |

*subject to applicable CPI-U adjustments made pursuant to this Chapter.

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Section 9.08.160 Table (B)
Solid Waste Compaction-Type Drop Box Rates*

Monthly Rates

| Compactor Size | 1 pull per week | 2 pulls per week | 3 pulls per week | 4 pulls per week | 5 pulls per week | 6 pulls per week | 7 pulls per week |
|----------------------------|---------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| 10 cubic-yard container | \$1,698.48 | \$2,270.59 | \$3,110.86 | \$3,378.85 | \$3,646.85 | \$3,914.85 | \$5,721.92 |
| 17 cubic-yard container | \$2,101.39 | \$2,774.02 | \$3,909.88 | \$4,295.86 | \$4,681.82 | \$5,067.81 | \$6,747.38 |
| 26 cubic-yard container | \$2,355.09 | \$3,281.43 | \$4,670.96 | \$5,056.93 | \$5,442.91 | \$5,828.88 | \$7,635.40 |
| 36 cubic-yard container | \$2,779.01 | \$3,705.41 | \$5,094.80 | \$5,534.97 | \$5,975.13 | \$6,415.39 | \$8,221.94 |
| Compactor Size | 8 pulls per week | 9 pulls per week | 10 pulls per week | 11 pulls per week | 12 pulls per week | 13 pulls per week | 14 pulls per week |
| 10 cubic-yard container | \$7,420.39 | \$7,992.52 | \$8,832.82 | \$9,100.79 | \$9,368.76 | \$9,636.76 | \$11,443.84 |
| 17 cubic-yard container | \$8,848.76 | \$9,521.97 | \$10,657.26 | \$11,043.23 | \$11,429.22 | \$11,815.20 | \$13,494.77 |
| 26 cubic-yard container | \$9,990.47 | \$10,916.83 | \$12,306.37 | \$12,692.34 | \$13,078.33 | \$13,464.28 | \$15,270.81 |
| 36 cubic-yard container | \$11,000.96 | \$11,927.36 | \$13,316.75 | \$13,756.91 | \$14,197.10 | \$14,637.33 | \$16,443.87 |

Per Pickup Rates

(with regular service)

Regular

Sunday/Holiday

Special pickup 0-49 cubic yards

\$416.88

\$625.32

Special pickup 50-74 cubic yards

\$801.65

\$1,201.48

Special pickup 75 cubic yards

\$1,307.59

\$1,961.39

Per Pickup Rates

(without regular service)

On-call pickup 0-49 cubic yards

\$650.74

\$976.11

*subject to applicable CPI-U adjustments made pursuant to this Chapter.

...

...

1 **Section 9.08.160 Table (C)**

2 **Solid Waste Manual-Type Drop Box Rates***

3

| <u>On-Call Rates</u> | <u>Regular</u> | <u>Sunday/Holiday</u> |
|-----------------------------------|-----------------------|------------------------------|
| (with or without regular service) | | |
| 10 cubic-yard container | \$80.30 | \$120.50 |
| 20 cubic-yard container | \$160.60 | \$241.00 |
| 28 cubic-yard container | \$224.84 | \$337.40 |
| 35 cubic-yard container | \$281.05 | \$421.75 |
| 50 cubic-yard container | \$401.50 | \$602.50 |

8

9 All on-call rates are subject to additional charges of \$17.92 demurrage per 24 hours or any part thereof
10 after the first 72 hours, excluding Sundays.

11 **Monthly Rates**

12 All other rates shall be calculated as follows:

13 (Base Charge x number of yards of capacity x number of pickups per week x 52 weeks per year,
14 divided by 12 months per year) + Demurrage = total monthly rate, where:

15 “Base Charge” for Monday - Saturday pickups = \$8.03 per cubic yard.

16 “Base Charge” for Sunday pickups = \$12.05 per cubic yard.

17 “Demurrage” = \$17.92 per 24 hours or any part thereof after the first 72 hours, excluding
18 Sundays.

19 *subject to applicable CPI-U adjustments made pursuant to this Chapter.

20 SECTION 15: Title 9, Chapter 8, Section 170, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 **9.08.170:** The charges for container rentals for [single-family residences, multiple dwellings,
23 places of business and public buildings] any premises, which shall be billed quarterly in advance, shall
24 be as follows:

25 ...

26 ...

27 ...

28 ...

| Container Size | Monthly Charge* |
|---|--------------------------|
| 1 <u>Cubic-Yard Container</u> | [\$14.34] <u>\$14.72</u> |
| 2 <u>Cubic-Yard Container</u> | [\$17.20] <u>\$17.66</u> |
| 3 <u>Cubic-Yard Container</u> | [\$20.08] <u>\$20.61</u> |
| 4 <u>Cubic-Yard Container</u> | [\$22.37] <u>\$22.97</u> |
| 6 <u>Cubic-Yard Container</u> | [\$28.67] <u>\$29.43</u> |
| 8 <u>Cubic-Yard Container</u> | [\$31.54] <u>\$32.38</u> |
| | [Quarterly Charge*] |
| Up to 96-gallon Mobile [Cart] <u>Container</u> | [\$10.32] <u>\$3.53</u> |

*subject to applicable CPI-U adjustments made pursuant to this Chapter.

SECTION 16: Title 9, Chapter 8, Section 180, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.08.180: The charges for special one-time collections for [single-family residences, multiple dwellings, places of business and public buildings] any premises, which may be billed at the time of service as on-call services, shall be as follows:

| <u>Container</u> Size [of Receptacle] | One Time Charge* |
|--|--------------------------|
| 1 <u>Cubic-Yard Container</u> | [\$28.02] <u>\$28.77</u> |
| 2 <u>Cubic-Yard Container</u> | [\$37.36] <u>\$38.35</u> |
| 3 <u>Cubic-Yard Container</u> | [\$46.70] <u>\$47.94</u> |
| 4 <u>Cubic-Yard Container</u> | [\$56.02] <u>\$57.51</u> |
| 6 <u>Cubic-Yard Container</u> | [\$65.37] <u>\$67.11</u> |
| 8 <u>Cubic-Yard Container</u> | [\$74.71] <u>\$76.70</u> |

*subject to applicable CPI-U adjustments made pursuant to this Chapter.

SECTION 17: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 9.08.185, reading as follows:

9.08.185: (A) Any person who owns or manages any premises, other than a single-family residence, duplex or mobile home park which receives individual service, and who fails to provide containers sufficient to contain all solid waste generated from the premises, causing any container on

1 such premises to overflow in violation of this Chapter, shall be subject to an overflow charge for each
2 collection for which an overflow exists, as provided in this Section.

3 (B) No overflow charges may be assessed:

4 (1) Unless written notice of an overflow, by personal delivery, regular mail,
5 e-mail or fax, has been provided to the owner or manager of the premises, and overflows continue
6 after such notice has been given;

7 (2) Unless there is significant overflow from a container;

8 (3) Unless the overflow has actually been collected by the City or its
9 franchisee;

10 (4) If an overflow is caused by a prior collection being missed or being
11 performed improperly; or

12 (5) For premises with a consecutive-day collection schedule, if an overflow
13 is caused by changes in the times of day at which collections are performed, resulting in more than
14 twenty-eight hours between collections.

15 (C) Overflow charges assessed pursuant to this Section may be waived by the City
16 or a franchisee if the owner or manager of the premises takes reasonable steps to avoid future
17 overflows, including but not limited to increasing the container capacity on the premises, increasing
18 the frequency of service for the premises, installing locking lids on containers or installing locking
19 gates on the premises to prevent illegal dumping by third parties, or other property-management
20 measures designed to avoid overflows.

21 (D) For any multiple dwellings, motels or mobile home parks for which specific
22 minimum container requirements are set forth in Sections 9.80.140 or 9.08.150, the overflow charge
23 assessed for each overflow collection shall be as follows:

24 (1) If the premises meet the minimum container requirements but there is
25 still an overflow from the containers provided, the overflow charge shall be equal to the charge
26 specified in Section 9.08.180 for a one-time collection, based on the actual size of the largest container
27 that is provided on the premises; or

28 (2) If the premises do not meet the minimum container requirements, the

1 overflow charge shall be equal to the charge specified in Section 9.08.180 for a one-time collection
2 of a three cubic-yard container.

3 (E) For any place of business or public building which does not provide containers
4 sufficient to contain the solid waste generated from the premises in accordance with Section 9.08.160,
5 the overflow charge assessed for each overflow collection shall be the greater of the following
6 amounts:

7 (1) If a container larger than a one cubic-yard container is used on the
8 premises but there is still an overflow, the overflow charge shall be equal to the charge specified in
9 Section 9.08.180 for a one-time collection, based on the actual size of the largest container that is
10 provided; or

11 (2) If the premises do not have any container larger than a one cubic-yard
12 container on the premises, the overflow charge shall be equal to the charge specified in Section
13 9.08.180 for a one-time collection of a one cubic-yard container.

14 (F) All overflow charges may be billed at the time of service as on-call charges.

15 SECTION 18: Title 9, Chapter 8, Section 190, of the Municipal Code of Las Vegas,
16 Nevada, 1983 Edition, is hereby repealed in its entirety.

17 SECTION 19: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,
18 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
19 9.08.190, reading as follows:

20 **9.08.190:** The charges for preparation, collection, transportation and disposal of medical waste,
21 and the charges for the optional purchase and rental of medical waste containers shall be determined
22 in accordance with the schedules that are included within this Section. All charges for medical waste
23 service, except for on-call service which may be billed at the time of service, shall be billed monthly
24 in advance.

25 ...

26 ...

27 ...

28 ...

BASIC SERVICE CHARGES* (MONDAY-FRIDAY; IF NO SERVICE IS REQUIRED, FRANCHISEE MUST BE NOTIFIED BY 2:00 P.M. ON DAY BEFORE SCHEDULED SERVICE, OR MINIMUM SERVICE CHARGE WILL APPLY)

| Item | Size & Volume | Price Per Item | | Minimum Charge Per Service Call | |
|---------------------------------------|--------------------------|----------------|-----------|--|--|
| | | Delivered | Picked Up | Prescheduled Once/Month or Greater Frequency | On-Call/Special Pickup |
| Bio-Hazardous Accumulation Containers | Medium 10-14 Gallons | \$4.62 | \$4.62 | \$26.37 (If total for containers delivered and picked up is less than \$26.37, then \$26.37 will be invoiced) | \$59.35 (If total for containers delivered and picked up is less than \$59.35, then \$59.35 will be invoiced) |
| | Large 27-32 Gallons | \$6.60 | \$6.60 | | |
| | X-Large 48-50 Gallons | \$9.89 | \$9.89 | | |

ADDITIONAL SERVICE CHARGES*

Charges for prescheduled once/month or greater frequency service:

| Type | Size Code | Container | Disposal Price |
|--|-------------|-----------|----------------|
| Chemotherapy Waste Disposal | Large | 33 Gallon | \$32.55 |
| | Extra Large | 55 Gallon | \$57.75 |
| Pharmaceutical (non-controlled substance) Disposal | Extra small | 5 Gallon | \$42.00 |
| | Small | 10 Gallon | \$76.12 |
| | Medium | 20 Gallon | \$152.24 |
| | Large | 30 Gallon | \$228.38 |
| | Extra Large | 55 Gallon | \$380.63 |

Charges for on-call / special pickups or special services:

| Item | Charge |
|---|-----------------------------------|
| Special pickups (after 500 p.m., same day requests, holidays, weekends or greater than 20 polyurethane containers per pickup) | 63.00 Per Hour |
| Special services (account balancing, reconciliation, usage reports, certificates) | \$63.00 Per Hour |
| Preparation of waste to make suitable for transportation | \$26.25 Per Container |
| Collection delay | \$1.05 per minute after 5 minutes |
| Over weight charge (Over 50 lbs) | \$42.00 Per Container |

PURCHASE OR RENTAL ITEMS (OPTIONAL, IF OFFERED AT FRANCHISEE'S DISCRETION)*

| Item | Size | Volume | Dimensions | Price |
|--|---|----------------------|--------------------------|---|
| Sharp Containers | Small | 1 Quart | 4" x 4" x 6" | \$5.25 plus tax |
| | Medium | 5 Quarts | 4" x 10" x 9" | \$8.40 plus tax |
| | Large | 8 Quarts | 6" x 9" x 10" | \$10.50 plus tax |
| | Extra Large | 32 Quarts | 9" x 13" x 17" | \$21.00 plus tax |
| Red Bio-Hazard Bags | Small (500 bags per case) | 8-10 Gallons | 24" x 32" (8-10 gallons) | \$73.50 plus tax |
| | Large/Extra Large (25 bags per roll) | 50 Gallons | 43" x 48" (50 gallons) | \$12.60 plus tax |
| Locker Rental | Small | 5 Cubic yards | 7-1/2' x 5-1/2' x 3-1/2' | \$63.00 per month (includes transportation) |
| | Large | 30 Cubic yards | 20' x 8' x 8' | \$147.00 per month (includes transportation) |
| Roll-Off Box Rental | Extra Large | 40 Cubic yards | | \$346.50 per month |
| Trailer Rental (Special pickup charge of \$63.00 per hour does not apply to customers with trailer service, unless after hours or holiday pickups are requested) | | 30 feet long or less | | \$502.50 per month |
| | | 48 feet long or less | | \$670.00 per month |
| | | 53 feet long or less | | \$753.75 per month |

*subject to applicable CPI-U adjustments made pursuant to this Chapter.

1 SECTION 20: Title 9, Chapter 8, Section 200, of the Municipal Code of the City of
2 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

3 **9.08.200:** The charge for sewage-waste service shall be [\$15.78] sixteen dollars and twenty cents
4 per wet ton of sewage waste, subject to applicable CPI-U adjustments made pursuant to this Chapter.
5 Additional terms and conditions for collection, transportation and disposal of sewage waste shall be
6 specified in a separate sewage-waste service agreement between the City and its franchisee. If any
7 jurisdiction other than the City imposes any franchise fee on a franchisee based upon its cash receipts
8 or gross revenues from sewage-waste services provided by the franchisee, the franchisee shall be
9 solely responsible for such franchise fees and shall not pass such franchise fees through to the City.

10 SECTION 21: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,
11 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
12 9.08.205, reading as follows:

13 **9.08.205:** The charges specified in this Chapter for collecting, transporting and disposing of solid
14 waste shall not apply to construction or demolition waste, septic-tank waste, grease-trap waste, or
15 landscaping or tree-trimming waste handled in accordance with Section 9.08.060. A franchisee or
16 other licensed service provider may set its own rates for the collection, transportation and disposal of
17 such solid waste.

18 SECTION 22: Title 9, Chapter 8, Section 210, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **9.08.210:** (A) To ensure the uniform, safe and sanitary treatment of solid waste in the City and
21 to discourage the illegal handling and disposal of solid waste, it shall be mandatory for any person
22 owning, occupying or managing any premises in the City which are connected to water service to
23 subscribe to solid waste collection service provided by the City or its authorized franchisee and to pay
24 the charges specified in this Chapter. No person may discontinue paying for solid waste collection
25 service for his or her premises, unless such premises are not connected to water service for the entire
26 billing period.

27 (B) In order to discontinue paying for solid waste collection service pursuant to
28 Subsection (A) of this Section, a person must request discontinuation of service and provide proof that

1 no water service to the premises is provided. [Such request is subject to an administrative fee of
2 fifteen dollars for the costs of processing the request.] No fee may be charged to discontinue service
3 or to reestablish service to the premises after service has been discontinued pursuant to this Subsection
4 (B).

5 (C) All charges for regular or periodic services provided by the City, its franchisees,
6 or their duly appointed agents, pursuant to this Chapter shall be billed [in advance] on the first
7 business day of the quarterly or monthly billing period, as applicable[. Bills will be due and payable
8 on the fifteenth day after the applicable billing date.], and shall be due and payable on the last day of
9 the billing month; provided, however, that charges for on-call service may be billed at the time of
10 service. All charges for services under this Chapter, including the penalties for delinquent payment,
11 shall constitute a debt and obligation of the legal owner and the person having the management of the
12 [places of business, public buildings, multiple dwellings and residences] premises to the City or its
13 franchisee, and such persons shall be liable therefor in a civil action commenced by the City or its
14 franchisee in any court of competent jurisdiction for the recovery of such charges and penalties.

15 (D) A customer shall be entitled to a refund of any advance payment for service he
16 or she has made[, minus any administrative fee paid pursuant to Subsection (B) of this Section,] upon
17 presenting proof that a connection to water service did not exist at the customer's premises during the
18 entire billing period for which the advance payment was made. All refunds from a franchisee to a
19 customer shall be paid within thirty days from the date of the customer's request for reimbursement
20 or date of franchisee's knowledge that a refund is owed.

21 (E) No person shall accept and no franchisee shall offer or give any solid waste
22 collection, transportation and disposal services or curbside recyclables collection services without
23 charge, or shall offer or give a discount, refund or rebate of any charge authorized by this Chapter,
24 except that this provision does not apply to charitable organizations which are exempt from federal
25 income tax pursuant to Section 501(c) of the Internal Revenue Code or as further provided by
26 franchise agreement.

27 (F) If any person fails to pay the charges authorized by this Chapter [within fifteen
28 days after] by the date they become due and payable, [such charge shall be considered delinquent and]

1 a penalty shall be added thereto of three dollars per quarter (or fraction thereof) for residential
2 accounts and two percent per month (or fraction thereof) of the delinquent amount [shall be added
3 thereto.] for commercial accounts.

4 SECTION 23: Title 9, Chapter 8, Section 230, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6 **9.08.230:** All solid waste collection charges or fees authorized and established by this Chapter,
7 including any penalties assessed under Section 9.08.210, shall constitute a lien upon the real property
8 of the premises served until such charges and fees have been paid. Such lien shall be enforced in the
9 [following manner:] manner specified in NRS 444.520.

10 [(A) A lien shall not be recorded against any property until the record owner of the
11 property has been mailed written notice of the delinquency at his or her last address shown by the
12 records of the County Assessor, and such delinquency has not been cured within fifteen days after the
13 mailing of the notice.

14 (B) The provider of solid waste collection may record in the office of the County
15 Recorder, no later than four hundred days following the date on which such charges or fees become
16 delinquent, a notice of solid waste service lien in favor of the person claiming the lien and signed by
17 an authorized representative of the person claiming the lien. The notice of solid waste lien shall
18 contain the amount of the charges or fees due, the periods for which such charges or fees are due, the
19 name of the record owner(s) of the property, and a legal description of the property.

20 (C) The provider of solid waste collection may bring an action for foreclosure
21 against such property in the same manner as an action for foreclosure of any other lien, commenced
22 within two years after the date of recording the notice of solid waste lien.]

23 SECTION 24: Title 9, Chapter 8, Section 260, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

25 **9.08.260:** All solid waste and hazardous waste collected from the public and private places and
26 premises in the City shall not be deposited at any place other than at a transfer station, disposal site
27 or materials recovery facility operated in accordance with all applicable laws, rules and regulations.

28 SECTION 25: Title 9, Chapter 8, Section 270, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2 **9.08.270:** (A) Any person may dispose of solid waste at any disposal site operated in
3 accordance with all applicable laws, rules and regulations.

4 (B) Any [single-family resident of the City] person in the City who receives
5 individual service at a single-family residence, duplex or mobile home park and who is a current
6 customer of a franchisee may dispose of the solid waste generated at his or her [own single-family
7 dwelling] residential premises at any authorized disposal site owned or operated by the franchisee
8 within the “urban solid waste service area” in Clark County, without charge, upon presentation of a
9 current quarterly bill for residential service from the franchisee and a valid[,] government-issued photo
10 identification[.], such as a current Nevada driver’s license, and in accordance with such other rules
11 and regulations as the County may adopt.

12 SECTION 26: Title 9, Chapter 8, of the Municipal Code of the City of Las Vegas,
13 Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section
14 9.08.295, reading as follows:

15 **9.08.295:** Notwithstanding any provision in this Chapter to the contrary, the City Manager, a
16 franchisee and specific property owners in designated control areas may agree upon alternative
17 collection schedules for specified test periods for the purpose of testing recycling options.

18 SECTION 27: Title 9, Chapter 8, Section 320, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20 **9.08.320:** The following customer service standards shall apply to each franchisee:

21 (A) The franchisee shall be required to implement a complaint resolution procedure
22 to handle all complaints received by either the City or the franchisee. The complaint resolution
23 procedure shall include the following:

24 (1) The franchisee shall be required to record all complaints and if possible
25 resolve them within forty-eight hours of their receipt.

26 (2) If the franchisee cannot resolve a complaint within forty-eight hours of
27 its receipt, the franchisee shall within that period, provide the City with a written report detailing why
28 resolution could not be reached within that period, the actions that will be taken to resolve the

1 complaint and the timeline to reach a resolution of the complaint.

2 (B) If the City is not satisfied with the franchisee's proposed resolution of a
3 complaint, the Director of Finance and Business Services, or his or her designee, shall have the
4 authority to direct the franchisee to resolve the complaint in a manner that is satisfactory to the City.

5 (C) [No later than thirty days after the end of each month,] Upon request, the
6 franchisee shall provide the City with a written monthly report, in a form satisfactory to the City,
7 summarizing the complaints received by the franchisee and the resolutions thereof for the preceding
8 month.

9 SECTION 28: Title 9, Chapter 8, Section 330, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

11 **9.08.330:** (A) Customer service telephone operators of a franchisee shall be trained to screen
12 requests and assist in solving problems and shall identify themselves by at least their first names
13 immediately upon initial contact with a customer.

14 (B) A customer shall be transferred to a supervisor upon request or, if none is
15 available, receive a return call from a supervisor within one working day of the request.

16 (C) Unless otherwise agreed to by the City, customer service operators of a
17 franchisee shall be available to answer telephone calls from customers during normal business hours,
18 which shall be from at least eight a.m. to six p.m. each Monday through Friday and for at least four
19 hours each Saturday, except for any Monday through Saturday that falls on any of the following
20 holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas.
21 When customer service operators are not available to answer telephone calls from customers, the
22 franchisee shall employ an answering machine or service capable of receiving and recording calls from
23 customers. Calls received by such answering machine or service shall be returned on the next business
24 day.

25 [(A)] (D) Each franchisee shall at all times maintain a telephone answering system that
26 measures the:

27 (1) Average wait time from the time that customer calls reach the franchisee
28 to the time that such calls are answered by a person (not a machine);

1 (2) Number of calls that reach the franchisee but are dropped before a
2 representative of the franchisee answers such calls; and

3 (3) Percentage of time during which all of the franchisee's customer service
4 telephone lines are busy.

5 [(B)] (E) [No later than thirty days after the end of each month, the] Upon request, a
6 franchisee shall provide the City with a written monthly report regarding its telephone answering
7 system, in a form satisfactory to the City, summarizing the average wait time, the number of dropped
8 calls and the percentage of time during which all lines were busy during the preceding month.

9 [(C)] (F) [The franchisee shall establish, after consultation with the City, reasonable
10 minimum standards for its telephone answering system for the average wait times, number of dropped
11 calls and percentage of time during which all lines are busy.] During normal business hours as
12 specified in Subsection (C) of this Section, a franchisee shall meet the following minimum standards
13 for its telephone answering system at least ninety percent of the time, measured monthly:

14 (1) Telephone answering time, including wait time, shall not exceed sixty
15 seconds.

16 (2) No more than five percent of incoming customer service callers shall
17 receive a busy signal.

18 [(D)] (G) Each monthly report required by Subsection [(B)] (E) of this Section shall
19 include a summary of whether the franchisee is or is not in compliance with the [agreed upon]
20 standards established pursuant to Subsection [(C)] (F) of this Section and, if the franchisee is not in
21 compliance, what actions the franchisee will take to meet the standards in future months.

22 SECTION 29: Sections 14 and 19 of this Ordinance shall become effective as of
23 12:01 a.m. the day after publication of this Ordinance by title.

24 SECTION 30: If any section, subsection, subdivision, paragraph, sentence, clause or
25 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
26 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
27 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
28 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

1 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
2 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
3 invalid or ineffective.

4 SECTION 31: Whenever in this ordinance any act is prohibited or is made or declared
5 to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is
6 required or the failure to do any act is made or declared to be unlawful or an offense or a
7 misdemeanor, the doing of such prohibited act or the failure to do any such required act shall
8 constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than
9 \$1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such
10 fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

11 SECTION 32: All ordinances or parts of ordinances or sections, subsections, phrases,
12 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
13 1983 Edition, in conflict herewith are hereby repealed.

14 PASSED, ADOPTED and APPROVED this _____ day of _____, 2006.

15 APPROVED:

16
17 By _____
OSCAR B. GOODMAN, Mayor

18 ATTEST:

19 _____
BARBARA JO RONEMUS, City Clerk

20 APPROVED AS TO FORM:

21 _____
22 Date
23
24
25
26
27
28

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2006, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2006, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11
12 APPROVED:

13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 BARBARA JO RONEMUS, City Clerk
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